

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

Harold Lyons	Case No.
Plaintiff,	
v.	<b>COMPLAINT FOR DAMAGES UNDER THE FAIR DEBT COLLECTION PRACTICES ACT AND OTHER EQUITABLE RELIEF</b>
The Outsource Group dba Medicredit, Inc.	
Defendant.	<b>JURY DEMAND ENDORSED HEREIN</b>

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**PARTIES**

1. Plaintiff, Harold Lyons, ("Harold"), is a natural person who resided in Picture Rocks, Pennsylvania, at all times relevant to this action.
2. Defendant, The Outsource Group, doing business as, Medicredit, Inc. is a Missouri corporation and at all times relevant to this action had a debt collection office in Houston, Texas.

**JURISDICTION AND VENUE**

3. Pursuant to 28 U.S.C. §1331, this Court has federal question jurisdiction over this matter as it arises under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692 et seq.
4. Pursuant to 28 U.S.C. §1391(b), venue is proper because Defendant resides and is subject to personal jurisdiction in this judicial district.

**STATEMENT OF FACTS**

5. At all times relevant to this action, Medicredit collected consumer debts.

6. Mediacredit regularly uses instrumentalities of interstate commerce and the mails to collect consumer debts owed or due or asserted to be owed or due another.
7. The principal source of Mediacredit's revenue is debt collection.
8. Mediacredit is a "debt collector" as defined by 15 U.S.C. §1692a(6).
9. As described, *infra*, Mediacredit contacted Harold to collect a debt that was incurred primarily for personal, family, or household purposes.
10. This alleged obligation is a "debt" as defined by 15 U.S.C. §1692a(5).
11. Harold is a "consumer" as defined by 15 U.S.C. §1692a(3).
12. Around February 2013, Mediacredit began contacting Harold on his personal home telephone and leaving voice messages in connection with the collection of the debt.
13. On or around September 18, 2013, Mediacredit called Harold's personal home telephone in connection with the collection of the debt and spoke with Harold's wife, ("Wife").
14. During this communication, Wife requested Mediacredit cease further calls to Harold's personal home telephone.
15. During this communication, Mediacredit argued with Wife and told Wife that Mediacredit could call as many times as Mediacredit wanted.
16. Despite this request, on or around September 19, 2013, Mediacredit called Harold's personal home telephone number in connection with the collection of the debt.
17. During this communication, Wife again requested Mediacredit cease further calls to Harold's personal home telephone.
18. Despite repeated requests to Mediacredit to cease calls to Harold's personal home telephone, Mediacredit contacted Harold on his personal home telephone on more than one occasion.
19. Mediacredit attempted to collect a debt from Harold.

20. Mediacredit violated the FDCPA.

**COUNT ONE**

**Violation of the Fair Debt Collection Practices Act**

21. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

22. Defendant violated 15 U.S.C. §1692c(a)(1) by calling Plaintiff at a time or place known to be inconvenient for Plaintiff.

**COUNT TWO**

**Violation of the Fair Debt Collection Practices Act**

23. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

24. Defendant violated 15 U.S.C. §1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff in connection with the collection of the debt.

**COUNT THREE**

**Violation of the Fair Debt Collection Practices Act**

25. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

26. Defendant violated 15 U.S.C. §1692e by using false, deceptive, or misleading representations or means in connection with the collection of the debt.

**COUNT FOUR**

**Violation of the Fair Debt Collection Practices Act**

27. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

28. Defendant violated 15 U.S.C. §1692f by using unfair or unconscionable means to collect the debt.

**JURY DEMAND**

29. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

30. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Hyslip & Taylor, LLC, LPA

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